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3 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**  
4 **OF THE STATE OF WASHINGTON**  
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6 IN THE MATTER OF ENFORCEMENT )  
7 ACTION AGAINST ) PDC CASE NO.: 01-684  
8 DEREK YOUNG ) **FINAL ORDER IMPOSING FINE**  
9 Respondent. )  
\_\_\_\_\_ )

10 The Washington State Public Disclosure Commission (Commission) conducted an  
11 enforcement hearing under chapters 34.05 and 42.17 RCW and chapter 390-37 WAC on  
12 September 27, 2001.

13 The Commission held the hearing in Room 206 of the Evergreen Plaza Building,  
14 711 Capitol Way South, in Olympia, Washington to determine if the Respondent violated  
15 RCW 42.17.240 by failing to properly file an F-1 report due on or before April 16, 2001.  
16 The Respondent was notified of the hearing by letter dated September 13, 2000. The  
17 Commission's Enforcement Staff (Staff) appeared through Philip Stutzman, Director of  
18 Compliance. The Respondent appeared and addressed the Commission.  
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20 The Commission considered the Notice of Administrative Charges and its  
21 incorporated exhibits. The Notice of Administrative Charges and exhibits are incorporated  
22 by reference into this Order. The Commission heard oral argument by Staff and the  
23 Respondent.  
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1 Based on this record, the Commission finds that

- 2 1) The Respondent is a city council member of the Gig Harbor City Council.
- 3 2) The Respondent was required to file a Statement of Financial Affairs (PDC Form
- 4 F-1) by April 16, 2001.
- 5 3) The Respondent failed to file the F-1 Report by April 16, 2001.
- 6 4) The Respondent failed to file an F-1 Report in 2000 and was assessed a penalty in
- 7 Case No. 01-130 of \$500 by order entered December 4, 2000, which was referred to
- 8 the Attorney General of Washington for collection on February 22, 2001 and was
- 9 subsequently paid along with the associated fees and interest on September 11,
- 10 2001.
- 11 5) The Respondent failed to file an F-1 in 1999 and was assessed a penalty in Case No.
- 12 00-209 of \$350 by order entered November 19, 1999, which was referred to the
- 13 Attorney General of Washington for collection on February 22, 2001 and was
- 14 subsequently paid along with the associated fees and interest on September 11,
- 15 2001.

16 Based on the findings of fact, the Commission concludes that the Respondent violated

17 RCW 42.17.240 by failing to file the F-1 Report by April 16, 2001.

18 **The Commission ORDERS that the Respondent is assessed a civil penalty of**

19 **\$750. \$500 is suspended on the condition the Respondent commits no further**

20 **violations of RCW 42.17 for a period of 4 years from the date of this order.**

21 Any party may ask the Commission to reconsider this final order. Parties must

22 place their requests for reconsideration in writing, include the specific grounds or reasons

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1 for the request, and deliver the request to the office of the Public Disclosure Commission  
2 within 10 days of the date that the Commission serves this order upon the party.

3 Pursuant to RCW 42.17.395(5), a final order issued by the Public Disclosure  
4 Commission is subject to judicial review under the Administrative Procedures Act, chapter  
5 34.05 RCW. Pursuant to RCW 34.05.542(2), a petition for judicial review must be filed  
6 with the superior court in Thurston County or the petitioner's county of residence or  
7 principal place of business. The petition for judicial review must be served on the Public  
8 Disclosure Commission and any other parties within 30 days of the date that the Public  
9 Disclosure Commission serves this final order on the parties.  
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11 If reconsideration is properly sought, the petition for judicial review must be served  
12 on the Public Disclosure Commission and any other parties within 30 days after the  
13 Commission acts on the petition for reconsideration. Pursuant to RCW 34.05.470(3), the  
14 Public Disclosure Commission is deemed to have denied the petition for reconsideration if,  
15 within twenty days from the date the petition is filed, the agency does not either dispose of  
16 the petition or serve the parties with written notice specifying the date by which it will act  
17 on the petition. Pursuant to RCW 34.05.470(5), the Respondent is not required to ask the  
18 Public Disclosure Commission to reconsider the final order before seeking judicial review  
19 by a superior court.  
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1           The Commission will seek to enforce this final order in superior court under RCW  
2 42.17.395 - .397, and recover legal costs and attorney's fees, if the penalty remains unpaid  
3 and no petition for judicial review has been filed under chapter 34.05 RCW. This action  
4 will be taken without further order by the Commission.  
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7 DATED this 8<sup>th</sup> day of October, 2001.  
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VICKI RIPPIE, Executive Director  
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